



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,520	11/28/2001	David W. Boyd	10003816 -1	5054

7590 12/16/2005
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

DOAN, DUYEN MY

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/997,520	Applicant(s) BOYD, DAVID W.	
	Examiner Duyen M. Doan	Art Unit .2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-8, 10-20 are amended for examination.

Claim 9 is cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carney et al (us pat 6408278) (hereinafter Carney) in view of Hunter (us pat 6430603).

As regarding claim 1, Carney discloses identifying a user preference; providing a first communication session between a user and a host server, wherein the first communication session transfers the user preference to the host server (col.3, lines 55-67; col.4, lines 41-53; col.8, lines 47-65; also see figure 1 and 9); selecting preferred data responsive to the transferred user preference (col.3, lines 55-67; col.4, lines 41-53; col.8, lines 47-65; also see figure 1 and 9).

Carney does not explicitly disclose providing a second communication session via a communication link between the host server and a remotely located display device; wherein the second communication session transfers the preferred data and a

Art Unit: 2143

display control parameter; and placing the remotely located display device in a presentation mode configured to present the preferred data in response to the display control parameter, the display control parameter including a time period, wherein the presentation mode of the display device displays data for a duration in accordance with the time period.

Hunter teaches providing a second communication session via a communication link between the host server and a remotely located display device; wherein the second communication session transfers the preferred data and a display control parameter (col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45); and placing the remotely located display device in a presentation mode configured to present the preferred data in response to the display control parameter, the display control parameter including a time period, wherein the presentation mode of the display device displays data for a duration in accordance with the time period (col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Hunter to the method of Carney to provide a second communication session via a communication link between the host server and a remotely located display device; wherein the second communication session transfers the preferred data and a display control parameter; and placing the remotely located display device in a presentation mode configured to present the preferred data in response to the display control parameter, the display control parameter including a time period, wherein the presentation mode of the display device

Art Unit: 2143

displays data for a duration in accordance with the time period, for the purpose of permitting advertisers to target geographical regions and demographic groups with ever changing, current advertising content without incurring the high fixed cost (see Hunter col.1, lines 7-64).

As regarding claim 2, Carney-Hunter discloses wherein the step of identifying a user preference comprises the selection of a digital image (see Carney col.3, line 67, col.4, line 1-3).

As regarding claim 3, Carney-Hunter discloses wherein the step of identifying a user preference comprises the selection of a presentation duration (see Hunter col.2, lines 5-24). The same motivation was utilized in claim 1 applied equally well to claim 3.

As regarding claim 4, Carney-Hunter discloses wherein the step of identifying a user preference comprises information reflective of the location of the remote premise (see Hunter col.2, lines 5-24). The same motivation was utilized in claim 1 applied equally well to claim 4.

As regarding claim 5, Carney-Hunter discloses wherein the step of identifying a user preference comprises estimating the number of visitors that may enter observe a periodic display of a plurality of digital images (see Carney col.5, line 43-56).

As regarding claim 6, Carney-Hunter discloses wherein the step of identifying a user preference comprises selecting a presentation sequence when a plurality of digital images are designated for presentation (see Carney col.9, line 1-21).

As regarding claim 7, Carney-Hunter discloses wherein the step of identifying a user preference comprises selecting an input indicative of a period over which the

Art Unit: 2143

remote display device operates in a presentation mode (see Hunter col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45). The same motivation was utilized in claim 1 applied equally well to claim 7.

As regarding claim 8, Carney-Hunter discloses wherein the step of providing a first communication session further results in the transfer of a display device identifier from the user to the host server (see Hunter col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45). The same motivation was utilized in claim 1 applied equally well to claim 8.

As regarding claim 10, Carney-Hunter discloses wherein the digital image comprises a public service message (see Carney col.5, line 25-26).

As regarding claim 11, Carney-Hunter discloses wherein the digital image comprises a message that describes a service (see Carney col.1, line 67, col.7, line 15-18).

As regarding claim 12, Carney-Hunter discloses wherein the digital image comprises a message that describes a product (see Carney col.6, line 35-45, col.7, line 15-18).

As regarding claim 13, Carney-Hunter discloses generating a periodic statement reflective of the duration of presentation of the digital image (see Hunter col.7, lines 1-16). The same motivation was utilized in claim 1 applied equally well to claim 13.

As regarding claim 14, Carney-Hunter discloses wherein the user preference comprises the association of a preferred time slot for the presentation of each of the

Art Unit: 2143

plurality of digital images (see col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45).

The same motivation was utilized in claim 1 applied equally well to claim 8.

As regarding claim 15, Carney-Hunter discloses initiating a communication session from the remote display device to the host server after execution of the presentation mode (see Carney figure 1, communication 23).

As regarding claim 16, Carney-Hunter discloses wherein the periodic statement is reflective of a cumulative presentation time for a digital image at a user agreed digital image presentation rate (see Hunter col.7, lines 1-16). The same motivation was utilized in claim 1 applied equally well to claim 16.

As regarding claim 17, Carney discloses means for collecting a plurality of digital images (col.8, line 47-53, col.9, line 1-4); means for indexing the plurality of digital images (figure 9); means for recording information reflective of a particular customer (figure 1, database 18); means for providing a mechanism for the particular customer to communicate an image preference (figure 9); means for selecting a digital image responsive to the image preference (col.8, line 53-67, col.9, line 1-4); and means for communicating the digital image to a display device at a remote location (col.8, line 47-53).

Carney does not explicitly disclose wherein the display device is configured to enter a presentation mode such that the display device is configured to display the digital image in accordance with an amount of time specified by a display parameter; and means for the display device to transfer information regarding the display device.

Hunter teaches wherein the display device is configured to enter a presentation mode such that the display device is configured to display the digital image in accordance with an amount of time specified by a display parameter; and means for the display device to transfer information regarding the display device (see Hunter col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Hunter to the method of Carney to have the display device is configured to enter a presentation mode such that the display device is configured to display the digital image in accordance with an amount of time specified by a display parameter; and means for the display device to transfer information regarding the display device for the purpose of permitting advertisers to target geographical regions and demographic groups with ever changing, current advertising content without incurring the high fixed cost (see Hunter col.1, lines 7-64).

As regarding claim 18, Carney-Hunter discloses means for the particular customer to transfer a digital image to the collecting means (see Hunter col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45). The same motivation was utilized in claim 17 applied equally well to claim 18.

As regarding claim 19, Carney-Hunter discloses means for the particular customer to request a digital image for presentation at a pre-determined location for a pre-determined time (see Hunter col.2, lines 5-15; col.3, lines 22-61; col.6, lines 9-45). The same motivation was utilized in claim 17 applied equally well to claim 19.

Art Unit: 2143

As regarding claim 20, Carney-Hunter discloses means for billing the particular customer in accordance with the elapsed presentation time of the digital image wherein a bill is issued over a periodic interval after actual presentation of the digital image (see Carney col.9, line 17-21, col.3, line 67, col.4, line 1-3).

Response to Arguments

Applicant's arguments see pg.5-9 filed 9/22/05 with respect to the rejection(s) of claim(s) 1-20 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Carney (us pat 6408278) and Hunter (us pat 6430603).

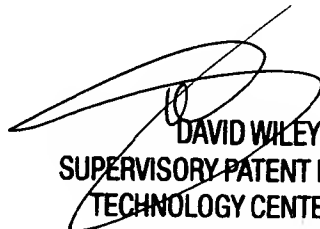
Art Unit: 2143

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100